

CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service, as first class mail, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on or before July 14, 2004.

7/14/04
Date

William L. King III
William L. King III

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Lomprey et al.
Examiner : Timothy Thompson
Serial No. : 10/781,050
Group Art Unit : 2873
Confirmation No. : 8387
Filing Date : February 18, 2004
Attorney Docket No. : GEN-991277 C4
Title : COLOR-STABILIZED ELECTROCHROMIC
DEVICES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

This is in response to the Notice to File Missing Parts, mailed May 14, 2004, relative to the above-identified application. The Part 2 Copy of the Notice to File Missing Parts is enclosed herewith.

The Notice indicated that the statutory basic filing fee was missing. In response, Applicant herewith submits the statutory basic filing fee in the amount of \$770.00, the excess claims fee in the amount of \$604.00, and the filing fee surcharge in the amount of \$130.00. Applicant submits PTO Form 2038 in the amount of \$1,504.00 for the above-identified fees.

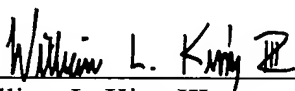
The Notice further indicated that a substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125 is required. Accordingly, Applicant herewith submits a substitute specification and drawings (pages 1-35, figures 1-9), which are of sufficient clarity for OCR scanning by the USPTO.

If any other charges or fees must be paid or credited in connection with this communication, they may be paid out of our Deposit Account No. 50-2131.

Respectfully submitted,

KING & JOVANOVIĆ, PLC

Dated: 7/14/04



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/781,050	02/18/2004	Jeffrey R. Lomprey	GEN-991277C4

30981
King & Jovanovic, PLC
170 College Avenue
SUITE 230
HOLLAND, MI 49423

CONFIRMATION NO. 8387

FORMALITIES LETTER



OC000000012674459

Date Mailed: 05/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/28/2004 BABRAHA1 00000116 10781050

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1202	432.00 OP
04 FC:1201	172.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages all are not in compliance with 37 CFR 1.52(a).

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$578 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.


SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1478** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$578**
 - \$288 for 16 total claims over 20.
 - \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY